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COMMISSION ON HUMAN RIGHTS

Fifty-seventh session

SUMMARY RECORD OF THE 50th MEETING

Held at the Palais des Nations, Geneva,
on 11 April 2001, at 10 a.m.

Chairperson: Mr. DESPOUY (Argentina)

CONTENTS

STATEMENT BY MR. PETER PIOT, EXECUTIVE DIRECTOR OF THE JOINT UNITED NATIONS PROGRAMME ON HIV/AIDS (UNAIDS)

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF:

(a) TORTURE AND DETENTION (*continued*)

RIGHTS OF THE CHILD

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ENG

The meeting was called to order at 10.25 a.m.

STATEMENT BY MR. PETER PIOT, EXECUTIVE DIRECTOR OF THE JOINT UNITED NATIONS PROGRAMME ON HIV/AIDS (UNAIDS)

1. The CHAIRPERSON, before giving the floor to the Executive Director of UNAIDS, said that the General Assembly would be holding a special session on HIV/AIDS from 25 to 27 June which, as the Secretary-General of the United Nations had pointed out, would present an exceptional opportunity as never before to take decisive action to turn back the progress of that terrible disease.

2. Mr. PIOT (Executive Director of UNAIDS) said that the understanding of AIDS had undergone a profound change. It was seen now as an issue that crossed the whole of society and had an impact in every sector. It would also be a priority concern in future for the international community, as could be seen by the numerous declarations and meetings that had been devoted to it, culminating in the special session of the General Assembly to be held in June. Human rights would be a focal point of the discussion on that occasion since failure to respect them worsened the effects of AIDS, while their promotion was essential for effective social mobilization. The epidemic continued to grow: it was a global crisis that required a global response matching the scale of the epidemic itself. The progress in human rights and AIDS achieved over the past 20 years had been disappointing, with more than 60 countries restricting the freedom of movement of persons affected and requiring that visitors be screened. Some criminal laws were not consistent with international norms and targeted vulnerable groups such as homosexuals. Intolerance, stigmatization and discrimination had not disappeared, even in health-care institutions.

3. In the past year, however, some progress had been made in key areas. UNAIDS had published a guidance document on confidentiality, for example, that had resulted in some countries adopting more balanced policies. South Africa had dropped plans to make AIDS a notifiable disease, preferring to rely on improved surveillance. Respect for the human rights of the persons concerned at the national level had also shown progress. The role of national human rights institutions was essential in that respect. The Lomé Declaration adopted in March 2001 at the Third Conference of the African National Human Rights Institutions had emphasized the need to prevent discrimination relating to HIV/AIDS and to ensure respect for the rights of all.

4. But that was not enough. Major non-governmental organizations (NGOs) concerned with human rights should accord greater importance to AIDS. National institutions responsible for ensuring due respect for human rights needed to strengthen their capacity to communicate, develop technical expertise, build awareness and be able to investigate complaints of violations and offer redress. The High Commissioner for Human Rights should also continue to champion the human rights of HIV/AIDS victims, as she had done so remarkably in the past. Finally, it was vital to ensure that human rights concerns were a central part of national AIDS strategies, in other words there was a need for effective mechanisms that actively supported human rights, for measures to overcome stigmatization and discrimination and for the resources needed to accomplish those purposes. Human rights were already at the centre of the Global Strategy Framework against AIDS adopted in December 2000.

5. In conclusion, he said that working in that direction would increase the chances of offering real improvements in the lives of people infected with HIV or suffering from AIDS.

CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTION OF:

(a) TORTURE AND DETENTION (agenda item 11) (continued) (E/CN.4/2001/66/Add.2)

6. Sir NIGEL RODLEY (Special Rapporteur on Torture) reported on his visit to Brazil the previous year and thanked the Brazilian authorities for the excellent cooperation he had received. In Brazil, as in many

other countries, public disquiet at the level of criminality bred a pervasive sense of insecurity leading to demands for draconian official reaction. The Brazilian authorities appeared prepared to affirm the principles of the rule of law and human rights, however. Moreover, Brazilian legislation had many positive aspects, in particular the 1997 Torture Act, but the provisions of the law were widely ignored.

7. Among the problems of concern were the exorbitant powers of heads of police stations, which enabled them to hinder investigations into offences committed by law enforcement officials, the division of the police into a military and a civil branch, which made it very difficult to monitor the acts of the former, the lack of training of police and guards, and the widespread recourse to brutality and, often, corruption. From what he had seen, the testimony he had heard and the information brought to his attention, he was in a position to confirm that torture and ill-treatment were meted out on a widespread and systematic basis in most parts of the country and at all stages of detention and were directed mainly at poor, black common criminals.

8. He was also very concerned about information he had received that reprisals, including beatings, had taken place in the juvenile detention centre in São Paulo and the prison in Recife following his visits to those establishments. In many places the conditions of detention, as the authorities candidly admitted themselves, were subhuman, especially at police stations. He pointed out that the detailed recommendations contained in document E/CN.4/2001/66/Add.2 consisted mainly of a compilation of the best practices applied in the country itself, albeit in too sporadic and isolated a way. Indeed, implementation of many of the recommendations would simply require the authorities to obey existing Brazilian law.

9. Since his visit, he had been informed that the Brazilian authorities had taken a number of encouraging initiatives: they were planning to organize a conference of officials responsible for the administration of justice on the need for application of the Torture Act, to launch a national awareness-raising campaign on the problem of torture, and to set up a telephone hotline to receive allegations of torture.

10. Mr. DINIZ BRANDAO (Brazil) said that the Government of Brazil was open to dialogue and cooperation with all human rights mechanisms. Several special rapporteurs had visited Brazil before Sir Nigel Rodley and their recommendations had been very constructive. Brazilian legislation and the country's Constitution gave priority to human rights and Brazil was party to all the relevant international instruments. It had been one of the first countries to adopt a national programme on human rights, which was currently being reviewed in consultation with civil society, with the aim of introducing improvements.

11. The Government of Brazil had always actively opposed torture. Several important measures had been adopted in the past few years to improve the effectiveness of the relevant legal framework. The adoption of the Torture Act in 1997, which made torture a crime, was a historical landmark. On the international plane, Brazil had presented a report to the Committee against Torture and had participated actively in the working group set up to draft an optional protocol to the Convention against Torture.

12. The Special Rapporteur had been given free access to the detention centres he had wished to visit. His report, although stringent, would make a useful contribution to improving Brazil's human rights policies. The Government had set up a working group within the State Secretariat for Human Rights to study measures to be taken to implement the recommendations of the report. The Brazilian delegation would be submitting a document in the days to come giving information on those measures. The Government had already planned to launch a national torture information and awareness-raising campaign in May and to set up a free telephone line for denunciations of torture in the hope that these measures would pave the way for a "national pact against torture".

13. A broad plan of action aimed at improving prison conditions was under consideration. Different ways of reducing prison overcrowding were being reviewed and there were plans to set up a national database of prisoners, to improve police training and to strengthen police ombudsmen, which could be done within the framework of a technical cooperation project with the High Commissioner for Human Rights. Bilateral

agreements could also be concluded to design and implement training projects involving, among other things, the teaching of modern and scientific research techniques.

14. With a view to following up other major recommendations made by the Special Rapporteur, the Brazilian Parliament was currently considering bills on police investigation (to be monitored more closely by the public prosecutor's office) and on unification of the civil and military police forces, and an amendment to the Constitution that would allow the General Public Prosecutor of the Republic to invoke federal jurisdiction in cases of human rights violations, subject to approval by the Superior Court of Justice.

15. The Government of Brazil was making every effort to clarify the individual cases mentioned by the Special Rapporteur. The State Secretariat for Human Rights had requested information from the competent authorities in the States of the Federation and would convey the results directly to Sir Nigel Rodley as soon as they were available. Brazil hoped to be able to rely on the expertise of the Special Rapporteur in the future as well. It was convinced of the importance of the mechanisms available through the Commission on Human Rights for the protection and promotion of human rights and hoped that all countries would receive visits from special rapporteurs, because no country, whatever its level of development, was above scrutiny by the international community.

16. His delegation asked that the text of its statement be published and circulated as part of the official records of the Commission. It thanked the Special Rapporteur and his team, as well as the United Nations Office in Brasilia, for providing a version of the report in Portuguese, which would be posted on the web site of the State Secretariat for Human Rights. Finally, he informed the members of the Commission that all Brazilian media had published large extracts from Sir Nigel Rodley's report in the day's editions along with analyses and commentaries.

17. The CHAIRPERSON declared the general debate on agenda item 11 closed.

RIGHTS OF THE CHILD (agenda item 13) (*continued*) (E/CN.4/2001/74, 76-78 and Add.1 and 2 and 151; E/CN.4/2001/NGO/23, 33, 43, 78, 96, 120, 152, 170, 178 and 188; E/CN.4/Sub.2/2000/22; A/55/442; A/55/163-S/2000/712)

18. Mr. LI Baodong (China) recalled that the Convention on the Rights of the Child stipulated the major rights of the child as being the right to subsistence, protection, development and participation. The fact that 191 States were parties to that Convention demonstrated the importance attached to the protection of the rights of the child by all States, protection that would be strengthened by the two Optional Protocols adopted by the General Assembly at its fifty-fifth session. China had signed both new instruments and fulfilled its obligations under the Convention.

19. In particular, it had submitted an initial report on the application of the Convention to the Committee on the Rights of the Child and was currently preparing its second periodic report. The rights and interests of the child were protected in China by a number of civil, criminal and administrative laws including the Protection of Juveniles Act, the Health Protection of Mothers and Infants Act, the Compulsory Education Act and the Adoption Act. Numerous measures had also been taken to deal with the nutritional, health and education needs of children. China's achievements in that field had been broadly recognized by the international community and commended in particular in the 1996 report by the United Nations Children's Fund (UNICEF) on the situation of the world's children.

20. According to the Convention, States Parties had to ensure that the education of children was directed at inculcating respect for human rights and love of peace. His delegation therefore deeply regretted the recent approval by the Government of Japan of the publication of a new history textbook that glorified the acts of war by Japan and concealed the reality of Japanese aggression against other countries of Asia during the Second World War. The Government of China condemned such a distortion of history, which was offensive

to the peoples of the victim countries, and urged the Government of Japan to adopt a responsible attitude and take prompt measures to remedy the problem caused by the textbook.

21. Ms. INAYATULLAH (Pakistan) said that her country had always worked to safeguard the rights of the child. It had accordingly taken an active part in the drafting of the Convention on the Rights of the Child and had been one of the first countries to ratify it. Its provisions had been incorporated in domestic legislation and numerous legislative measures had been taken to guarantee the rights of the child in Pakistan. For example, in order to better protect children in conflict with the law, the Juvenile Justice System Ordinance had raised the age of majority to 18. Moreover, in accordance with article 37 of the Convention, juveniles could no longer be sentenced to death or hard labour. In the past two months around 400 juveniles sentenced for various offences had been granted amnesty and special efforts were being made to speed up legal proceedings involving children and give them access to free legal assistance.

22. A modern birth registration system was being set up to safeguard the right of every child to an identity. The registration process, which would not be an easy task in view of the fact that 85 per cent of deliveries took place in the home, was to begin in June 2001 and should be completed by the end of the year. With a view to encouraging the involvement of civil society, the Government had facilitated the establishment of a coalition of child NGOs to enable them to pool their experience and resources. To ensure the right to education, a law on compulsory primary education was being prepared and the Government had adopted an education reform strategy aiming to increase the rate of primary school registration from 83 per cent to 100 per cent before the year 2015. In the health sector, an accelerated vaccination programme against the six main diseases should considerably reduce maternal and infant mortality rates in the next 15 years. Efforts were being made to improve infant nutrition and a food programme aimed at reducing malnutrition among girls was being finalized.

23. Since the new Government had taken office, it had approved an action plan to eliminate child labour by the year 2010, which was already being implemented. Pakistan was on the threshold of signing the International Labour Organization (ILO) Convention 182 on the Worst Forms of Child Labour. A special fund for the abolition of bonded labour and the rehabilitation of child labourers had been set up with an initial allocation of 100 million Pakistani rupees and a pilot project would be initiated in the near future. Various measures had also been taken for handicapped and street children in collaboration with specialist NGOs. Campaigns to heighten awareness of human rights and of the principles of tolerance, justice and democracy had been introduced. Training programmes in the field of human rights had been instituted for teachers, police officers and prison staff, and special human rights courses had been organized in a large number of schools as part of the Associated Schools Project, which had received the United Nations Educational, Scientific and Cultural Organization (UNESCO) Prize for Human Rights Education in the year 2000. A human rights study centre had been set up in the law faculty of the University of Peshawar and similar centres were to be established in all of Pakistan's major universities. Pakistan also intended to sign the two Optional Protocols to the Convention on the Rights of the Child.

24. In spite of the progress already achieved, there was still a lot to be done to improve the situation of children in Pakistan. The task was a difficult one given the difficulties that the Government had to confront, particularly the service of the external debt, the unstable situation in the region due to the flagrant violations of human rights that persisted in occupied Kashmir, and the burden of 2 million Afghani refugees on Pakistani territory. The Government would nevertheless make every effort to modernize its legislation, apply the measures taken and develop awareness with a view to achieving better protection of children and more secure guarantees of their rights.

25. Ms. PEREZ DUARTE Y NORONA (Mexico), speaking on behalf of the Group of Latin American and Caribbean States (GRULAC), said that every effort should be made to guarantee the rights set forth in the Convention on the Rights of the Child and that national laws and practices should be adapted accordingly. The members of GRULAC had always been attentive to all activities relating to children at an international

level, as they had demonstrated at their last Ibero-American Summit in Panama in the year 2000. They hoped that the special session of the General Assembly devoted to children, to be held in New York in September 2001, would produce positive and concrete results that would benefit efforts designed to assist that vulnerable group.

26. The World Conference against Racism in Durban should take due account of the situation of children who were victims of racial discrimination and intolerance and of the fact that the best interests of children should always have priority in programmes against racism and racial discrimination. Suggestions to that effect had been made in the Declaration and Plan of Action adopted at the Regional Conference of the Americas in Santiago in preparation for the World Conference. In the final document to be adopted at the Conference special mention should be made of the particular situation of children of African descent, indigenous children and migrants, who suffered discrimination twice over owing to their vulnerability both as children and as members of a minority. Since discrimination of that nature was even greater in the case of children living in difficult circumstances such as extreme poverty, it was essential that those children be granted the necessary assistance to enable them to overcome the obstacles to their development. GRULAC also vigorously condemned the forced recruitment of children in regular or illegal armed forces and the abduction of children for that purpose.

27. Universal and total protection of children called for cooperation and collaboration by families, society and the State at a national level and by the competent United Nations bodies at an international level. It should not be forgotten that children were the only hope for a more tolerant world in which all human rights, including the right to development, would be fully realized. In that spirit, the members of GRULAC and the European Union would be submitting a draft resolution to the Commission on the rights of the child and trusted that it would be adopted by consensus.

28. Mr. SOLARI (Argentina), endorsing the statement made by the representative of Mexico on behalf of GRULAC, said that promotion and protection of the rights of the child were among the priorities of all Latin American countries, including Argentina. It had therefore welcomed the adoption by the General Assembly of the two Optional Protocols to the Convention on the Rights of the Child and would ratify them probably before the end of the year.

29. The right of the child to preserve its identity, including its nationality, name and family relations, and to have its identity restored if it had been illegally deprived of it, had always been a priority matter in Argentina, where the demonstration by the Grandmothers of the Plaza de Maio had made it possible to discover the whereabouts of almost 70 children who had disappeared during the dictatorship. Argentina was aware of the importance for a child of being able to maintain regular personal relations with its parents and family and was therefore deeply concerned by the frequent cases of illicit removal of children to other countries and their non-return. It had always contributed to efforts aimed at putting an end to that situation and in February 2001 had, for example, ratified the Organization of American States (OAS) Inter-American Convention on the International Return of Children, which had entered into force in 1994. The Convention was designed to protect the right of children to have regular contact with their parents, a particularly important consideration in the era of globalization, marked as it was by considerable movements of persons between countries and regions and by numerous violations of the rights of the child resulting therefrom. The Presidents of the Latin American countries that had taken part in the Ibero-American Summit in November 2000 had expressed their concern at the increasingly widespread phenomenon of abduction of minors by one of their parents and had welcomed the proposal by Argentina to convene an expert meeting in Buenos Aires to study that question.

30. Pursuant to article 4 of the Convention on the Rights of the Child, Argentina had introduced many legislative, institutional and administrative measures to implement the rights recognized under that Convention. For example, the Government of Argentina was planning to transform the Juvenile and Family Affairs Council into an agency called upon to act as guarantor of the Convention, to promote the

establishment of a federal council responsible for child policies that would embrace all competent provincial bodies, to collaborate actively in the adoption of national and provincial laws guaranteeing the doctrine of integral protection for children and to conduct a complete review of the legal arrangements relating to minor children in Argentina. It also planned to set up a federal system to protect the rights of the child so as to harmonize the legislative and judicial action to be taken in each State on the basis of the principles enshrined in the Convention, which redefined the relationship between the State and children by making the latter active subjects of the law.

31. Mr. UGALDE ALVAREZ (Costa Rica), associating himself with the comments made by the representative of Mexico on behalf of GRULAC, wished to emphasize the point that the rights of the child could not be respected, protected and realized unless they were incorporated as fundamental values of civil society, for which purpose they had to be taught and cultivated. Education played an essential role in that respect. Recognition and effective implementation of those rights were particularly important in view of the fact that modern society subjected many traditional, family and cultural values to a good deal of pressure. The Convention on the Rights of the Child and the two Optional Protocols recently adopted established the conditions required to enable children to blossom and enjoy their rights to the full.

32. In Costa Rica the principles enshrined in the Convention on the Rights of the Child had been incorporated in domestic law and were applied through various legislative acts designed to protect minors, including the recent Responsible Procreation Act, which would play an important role in ensuring the child's right to an identity. All of the relevant laws stressed the need to take into consideration the best interests of the child and the obligation of the State to take the necessary measures to guarantee the special rights of children and juveniles. To facilitate the work of the Committee on the Rights of the Child, which had many reports on the application of the Convention to consider, given the large number of States Parties to that instrument, Costa Rica had proposed in 1995 an amendment to article 50 of the Convention calling for an increase from 10 to 18 in the number of experts on the Committee. It therefore urged States that had not yet done so to ratify the amendment so that it could enter into force.

33. The Government of Costa Rica had adopted preventive and punitive measures to combat the scourge of sexual exploitation of children that had appeared in that country with the development of the tourist industry. In particular, it had reformed the Penal Code in order to define and set punishments for various acts connected with the sexual exploitation of children and, in cooperation with the Government of the United States of America, had devised a training programme on investigation methods for the officers concerned. Furthermore, the National Commission against the Sexual Exploitation of Children, which was part of the Ministry of Justice and included representatives of State institutions and NGOs, was responsible for organizing campaigns and developing national programmes to combat such illegal activities. Civil society was also participating in the implementation of rehabilitation projects for minors who had been victims of exploitation.

34. Ms. DINH THI MINH HUYEN (Viet Nam) said that the almost universal ratification of the Convention on the Rights of the Child and the adoption of the Optional Protocols to the Convention by the United Nations General Assembly constituted a positive step towards strengthening the international legal basis for the protection of the rights of the child. Children now expected the international community to fully implement those instruments. For that purpose an enabling environment was required in which peace, stability and development could prosper.

35. Viet Nam had been one of the first countries in Asia to accede to the Convention on the Rights of the Child. The Government of Viet Nam had also recently signed the two Optional Protocols to the Convention and ratification was under way. Right after becoming party to the Convention it had promulgated, in 1991, two major laws concerning the protection, care and education of children and the universalization of primary education. It had also signed and ratified a number of ILO Conventions, including Convention 182 on the Worst Forms of Child Labour. During the past decade, despite the numerous economic and financial

difficulties confronting the country, the Government had devoted particular attention to implementation of the rights of the child. Thanks to those efforts and the assistance and cooperation of UNICEF, other international organizations, NGOs and a number of countries, Viet Nam had been able to successfully implement its first National Plan of Action for Children for 1991-2000. More than 93.3 per cent of children below one year of age received the six basic vaccinations; diseases due to vitamin A deficiency and poliomyelitis had disappeared; and children in difficulty and disabled children received special care. In 2000, the universalization of primary education had been achieved in all regions of the country.

36. Viet Nam was still faced by problems such as street children, drug-addicted and sex-abused children, and malnutrition of children under five years of age. A comprehensive review of the implementation of the first National Plan of Action for Children had been undertaken in order to evaluate its achievements. The review had revealed the need for the State to integrate the National Plan of Action in socio-economic development plans as a whole. The legal system and socio-economic policies also needed to be improved in general, and with regard to children in particular, by emphasizing communications and education programmes. Finally, the capacities of bodies responsible for managing and monitoring implementation of the National Plan of Action needed to be enhanced. A second National Plan of Action had been developed for the period 2001-2010. Several priority objectives had been defined regarding child health and nutrition, the provision of drinking water, sanitation, the quality of primary education, recreation, child protection and enhanced youth participation. Viet Nam hoped to be able to continue to benefit from the aid of the international community in implementing its children's programmes.

37. Mr. VILLAPAREDES (Venezuela) said that the Constitution of Venezuela adopted in December 1999 established the basic principles set forth in the international human rights instruments. In particular, it contained provisions to strengthen protection of the civil and political rights of all citizens, including children and juveniles, and to take into account the new doctrine of integral protection of the rights of the child. Children and juveniles as well as NGOs had been involved in the drafting of the Constitution through a forum for the rights of the child. Moreover, two national assemblies of children and juveniles had been organized.

38. The needs of children and juveniles, particularly with regard to education, health and nutrition, occupied an important place in the Government's social policies and programmes. It was nevertheless aware of the need for a comprehensive process to set up mechanisms that would guarantee the rights of a child to identity and registration at birth, protection against all forms of ill-treatment and respect of the obligation to provide food. In that spirit, the Government had undertaken to develop a new legal protection system for children involving the establishment of offices for the defence of children and juveniles and of a National Council on the rights of children composed of representatives of Government and civil society, as well as the provision of training for juvenile and family judges in the application of the new legal provisions.

39. The delegation of Venezuela was concerned by the reduction of public funds available for development aid and by the negative impact of globalization, which posed the greatest threat to the most vulnerable groups, including children. It trusted that all the issues mentioned would be dealt with at the special session of the General Assembly devoted to children.

40. Mr. SALIM (Kenya) said that the recent adoption of the two Optional Protocols to the Convention on the Rights of the Child showed the extent to which the cause of children was espoused by the international community as a whole. Kenya had always attached great importance to the well-being of children. It had therefore welcomed the Special Rapporteur on the sale of children, child prostitution and child pornography in 1997 and had submitted to the Committee on the Rights of the Child its initial report on the implementation of the Convention on the Rights of the Child in January 2000.

41. The Government had also finalized a draft children's bill in the year 2000. The bill provided a better legal and institutional framework to enhance the protection of children both inside and outside the family

environment. It also dealt with the situation of child offenders and explicitly required judicial officers having cognizance of child offenders to consider the best interests of the child. It provided that no child could be sentenced to death or imprisonment, placed in a detention camp or subjected to corporal punishment. Moreover, no child below the age of 10 could be placed in a rehabilitation centre. The bill was expected to be adopted during the current parliamentary session. The finishing touches had also been put on a bill relating to violence within the family, which provided for intervention of the courts to reduce and prevent violence in domestic relationships and granted protection and relief for the victims.

42. Kenya had published a national programme of action for children in 1992 whose purpose was to ensure implementation of the Declaration of the 1990 World Summit for Children and to serve as a basis for the establishment of national strategies in that area. The programme of action was being implemented within government structures and by NGOs. The Government of Kenya faced various problems in its efforts to protect the rights of the child. The main one was poverty, which often forced children to drop out of school or caused major difficulties in access to health care. If significant improvements were to be achieved in that area, those problems needed to be solved on a priority basis. Moreover, the rural exodus had inevitably led to the growth of slums, which provided breeding grounds for criminality, violence and abuse, from which children often suffered the most. The practice of early marriage had also posed a problem in the past but the Government had taken stern action to ensure respect for the minimum marriage age. Finally, a national human rights commission to be set up in the near future would be charged with the promotion and protection of human rights and also with the prevention of human rights violations and their investigation.

43. Mr. YUN Byung Se (Republic of Korea) said that the international community should not become complacent. The almost universal ratification of the Convention on the Rights of the Child with its two Optional Protocols and the adoption of ILO Conventions condemning child labour and the various declarations and programmes of action brought forward at international conferences were positive elements, to be sure, but the reality that children faced was still not very encouraging. Around 200 million children under five years of age suffered from malnutrition, 250 million children worked, almost half the children in the least developed countries had no access to primary education, 510,000 children under the age of 15 had died of AIDS in 1998 alone, and around 540 million children lived in dangerous situations.

44. There was global consensus that exploitative child labour had to be eliminated. However, it would be impossible to find a solution to that problem without confronting the underlying cause, namely poverty. Too many children throughout the world were also forced to bear arms and learned to kill before learning to read. The Republic of Korea therefore unreservedly supported the appeal launched by Mr. Olara Otunnu, the Special Representative of the Secretary-General for children and armed conflict, contained in document E/CN.4/2001/76. Regarding the sexual exploitation of children, adequate criminal legislation was urgently required to combat child prostitution and pornography. The perpetrators of those heinous crimes should be brought to justice and the customers of child prostitutes or pornography should not go unpunished. The recommendations contained in the report (E/CN.4/2001/78) by the Special Rapporteur on the sale of children, child prostitution and child pornography represented a good basis for discussion in that respect. Young girls were the most vulnerable and disadvantaged group and faced double discrimination. Statistics showed that in many parts of the world boys were given priority over girls in education and nutrition. For that reason, the Republic of Korea supported the goal set by the Secretary-General in his Millennium Report that by the year 2015 every child, regardless of sex, should have access to primary education.

45. The role of education in the protection and promotion of the rights of the child could not be emphasized enough. The teaching of history based on facts and high ethical standards was an integral part of the process. Unfortunately, some textbooks recently approved by the Government of Japan omitted or distorted historical facts. The Republic of Korea was extremely concerned by the negative effects that such distortions could have on the education of Japanese children and urged the Government of Japan to rectify them and take measures to prevent them from recurring.

46. An important development in children's health had taken place recently with the inauguration in Seoul in 1997 of the International Vaccine Institute. Since its establishment, the United Nations Development Programme (UNDP), the World Health Organization (WHO) and 33 countries, together with the Bill and Melinda Gates Foundation, had contributed to its operation. The role played by NGOs in promoting children's health and well-being should also be stressed. Their devotion and determination had helped change the destiny of many children and the difficult work that they accomplished deserved recognition.

47. Mr. MATTALITTI (Indonesia) said that the international community had made substantial progress in promoting and protecting the rights of the child since the World Summit for Children, as could be seen, for example, from the recent adoption of the two Optional Protocols to the Convention on the Rights of the Child. Regarding the involvement of children in armed conflicts, there were several recommendations that deserved the full attention of the international community in the report by the Special Representative of the Secretary-General for children and armed conflict contained in document E/CN.4/2001/76.

48. Like the Secretary-General's Special Representative, he believed that the special session of the General Assembly devoted to children would be a very important event and hoped that it would focus particularly on development issues such as health care, education, poverty and neglect and on the future implications of globalization. One of the main current difficulties lay in the search for resources that would allow developing countries to benefit from globalization and the rapid advances in information and communications technology. There was no doubt, in that respect, that the financial crisis in Indonesia had had and was continuing to have a negative impact on children. Calls for a more deregulated economy and increased democracy had produced results, but at the expense of extreme suffering by children. It had not been anticipated that developing countries and, within those countries, the most vulnerable groups would be left behind while globalization enabled a select few to become wealthier. In spite of the progress that had been made, the number of children requiring aid had increased, the infant mortality rate remained high and more needed to be accomplished in the areas of nutrition, maternal health care and basic education.

49. One positive advance that had been made was the ratification by the Government of Indonesia of ILO Convention 182 on the Worst Forms of Child Labour, which had now been incorporated in Indonesia's legislation, strengthening existing legislation banning children from working in certain hazardous sectors. The ratification of that Convention by a large number of countries was encouraging. The international community, and the developing countries in particular, should be aware of the need to provide education for children to help them escape from the vicious circle of poverty and underpaid work.

50. Indonesia devoted considerable attention to meeting the needs of children in conflict situations or those displaced as a result of ethnic violence. For that purpose, the Government had created the National Commission for Child Protection as well as independent child protection bodies, and a bill on child protection was currently being considered by Parliament. It was also working to strengthen the social security system and to ensure the integrity of the family unit through targeted programmes for women and initiatives to deal with the problem of ever-increasing unemployment rates. The efforts to protect children were complemented by closer cooperation between the Government and national and local NGOs and by decentralized decision-making.

51. Like many other developing countries, however, Indonesia could not meet the economic and social development commitments it had assumed at various international conferences and resolve the problems obstructing effective implementation of the rights of the child unless it received greater support from the international community.

52. Ms. KUNADI (India) said that the Constitution of India contained various provisions to protect children from exploitation and to guarantee their development and well-being, including their right to health and education. A number of laws had also been passed to complement the provisions of the Constitution. The adoption of the National Policy for Children in 1974 had been followed by the setting up of specialist

services for children and the establishment of a national fund to finance the activities of voluntary children's organizations. The Integrated Child Development Services established in 1975 remained the major government programme for promoting the health and well-being of children under the age of six and their mothers. The Department of Women and Child Development, established in 1985 in the Ministry of Human Resource Development, had formulated a National Plan of Action for Children in 1992 on the basis of which local plans of action had been adopted by most States. Finally, the "Voices of Children" campaign had been launched with the support of UNICEF to encourage children's participation in all matters concerning their lives.

53. Thanks to health-care measures, including vaccination campaigns, the infant mortality rate had dropped significantly throughout India. The education situation had also improved and the Government was currently considering a draft amendment to the Constitution to include the right to free education until the age of 14. It had also set itself the objective of providing universal primary education before the year 2010. Furthermore, a number of programmes had been implemented to deal with the problem of child labour and the Government of India, which had ratified the Convention on the Rights of the Child in 1992, was currently considering ratification of the ILO Convention on the Worst Forms of Child Labour.

54. India was also particularly concerned about the recruitment of children in armed forces. Unfortunately, there were schools in the region that indoctrinated children and promoted hate and intolerance, causing them to join terrorist organizations. It therefore urged the international community to continue combating such practices.

55. Ms. IAMSUDHA (Thailand), recalling that her country had ratified the Convention on the Rights of the Child in 1992, said that the Government of Thailand remained committed to protecting and promoting the rights of the child. She noted that Her Royal Highness Princess Maha Chakri Sirindhorn had agreed to become a member of the Council of the recently established Refugee Education Trust. The Government of Thailand had also submitted the candidature of Ms. Chutikul, the first woman cabinet minister in Thailand, to the Committee on the Rights of the Child.

56. Thailand, which had ratified ILO Convention 182 on the Worst Forms of Child Labour in February 2001, was currently considering the ratification of Convention 138 on the Minimum Working Age. It was also in the process of finalizing a draft Memorandum of Understanding with the Government of Cambodia on the prevention of trafficking in women and children and the protection of the victims of such trafficking. It hoped to conclude similar memorandums of understanding with other neighbouring countries in the near future.

57. Thailand had recently completed its end-of-decade report on the application of the World Declaration on the Survival, Protection and Development of Children in preparation for the special session of the General Assembly devoted to children, to be held in September 2001. Since the World Summit for Children in 1990, the Government of Thailand had adopted many measures to increase access by children to basic social services and to improve the situation of marginalized and underprivileged children. The rights of the child were specifically mentioned in the new Constitution of 1997. The new Education Act, passed in 1999, reflected the policy that children should be at the centre of all education processes and extended basic education to 12 years.

58. Measures to prevent and eliminate trafficking in women and children had been adopted in 1997 and the Code of Criminal Procedure had been revised in 1999 to allow video recordings to be used in investigations involving children and requiring the presence of a social worker or psychologist, and to prohibit direct confrontation of children with their abusers. Several programmes to protect and help children in extremely difficult circumstances had been adopted, including the National Plan of Action for the Prevention and Eradication of Commercial Sexual Exploitation of Children and the National Plan of Action for Family Development, implemented jointly by the Government and NGOs. There were 84 shelters in Thailand where

women and children victims of trafficking could receive medical, social and psychological assistance. Following her recent visit to one of those centres, the High Commissioner for Human Rights had expressed the wish that Thailand share its experience with other countries, in the Balkan region, for example. The Government of Thailand would be most willing to do so. It was also committed to continuing its activities in favour of children through national, regional and international partnerships.

59. Mr. ATTAR (Saudi Arabia) said that Islam guaranteed respect of the basic rights of the child and accorded children a privileged place within the family, which was regarded as the fundamental social unit. Implementation of the Convention on the Rights of the Child in Saudi Arabia had been entrusted to the National Commission for Child Welfare, set up in 1979 under the aegis of the Ministry of Education. Saudi Arabia had submitted its initial report on the implementation of the Convention to the Committee on the Rights of the Child on the due date.

60. The protection of underprivileged and vulnerable children was one of the priorities within the national development plans. Government policies emphasized the protection of the family and the role of parents, thus preventing situations harmful to the child's development, as a consequence of which there were no street children in Saudi Arabia. The minimum working age was 18 years and legislation prohibited employing children in arduous work. Saudi Arabia had decided to accede to ILO Conventions 138 and 182 on child labour, thereby demonstrating its full commitment to that issue even though the phenomenon did not exist in the Kingdom.

61. A new law had been promulgated setting up a Higher Council for the Welfare of the Disabled so as to guarantee access by such children to health, education and social services and to facilitate their rehabilitation and integration. Many institutions provided assistance to children with sight and hearing disabilities, who received free hearing and vision aids, and to mentally and physically handicapped children. A social counselling unit offering children in difficult circumstances a free telephone line had also been recently established. Moreover, the Government of Saudi Arabia had been the first in the region to establish a committee to investigate child abuse, which worked in close cooperation with hospitals, police departments and the courts.

62. While welcoming the adoption by the General Assembly of the Optional Protocol on the sale of children, child prostitution and pornography, his delegation stressed that it was up to States themselves to take the necessary steps to combat those phenomena at a national level, in particular by amending their legislation so as to severely punish those responsible for the sexual exploitation of children. Saudi Arabia had so far managed to avoid that scourge thanks not only to the precepts and moral values of the Sharia but also to the severity of the punishments.

The meeting rose at 1 p.m.